

GOVERNMENT OF TELANGANA
ABSTRACT

Tribal Welfare Department – Telangana State – Adilabad District – Issue of Agency Area Local ST Certificates under GO Ms.No.24 of dt.12.6.2018 of TW (LTR.1) Department – Declared as not a Local Scheduled Tribe by the Collector & District Magistrate, Adilabad District vide Procgs.No.C3/2596/2019-31, dt.31.01.2020 - Appeal filed by Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur Village of Utnoor Mandal of Adilabad District– Appeal allowed – Orders – Issued.

TRIBAL WELFARE (LTR) DEPARTMENT

G.O.Ms.No. 59

Dated: 30-07-2021
Read the following:-

1. GO Ms.No.24, TW (LTR.1) Department, dated 12.6.2018.
2. Procgs. Rc.No. C3/2596/2019-31, dt.31.01.2020 of the Collector & District Magistrate, Adilabad District.
3. Appeal petition filed by Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur Village of Utnoor Mandal of Adilabad District, dated 29.04.2021 through the Endt.No. 1819/M/(STW, W&CW), dated 03.05.2021.
4. Govt.Memo.No.663/TW.LTR/2021, Dt.16.06.2021.
5. Notice No.663/TW.LTR/2020, dt:16.06.2021.
6. Lr.Rc. No. D5/309/2018, received from the PO, ITDA, Utnoor, Adilabad District dt. 29.06.2021, received on 05.07.2021

ORDER:

In the reference 1st read above, Government have issued detailed guidelines for issue of Agency Area Local Scheduled Tribe Certificates to the local STs living in the Scheduled Areas and procedure to be adopted for cancellation of such certificates in case of fake/bogus claims.

2. In pursuance of the said Government orders under reference 1st read above, the Collector & District Magistrate, Adilabad District vide her orders in the reference 2nd cited, declaring that Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur Village of Utnoor Mandal of Adilabad District is not a Local Scheduled Tribe as per definition of GO Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018. The gists of the case are as follows:

- DEO Adilabad sent provisional selection list of TRT under Agency ST Category of Adilabad District and requested to verify genuineness of Local ST Certificates for issuing appointment orders in terms of directions of the Hon'ble High Court of Telangana, Hyderabad in WP No.31426/2018 and 32413/2018.
- As per directions of the Hon'ble High Court, list has been referred to the Scrutiny Committee headed by the Project Officer, ITDA Utnoor to conduct enquiry as per procedure laid down in GO Ms.No.24, TW (LTR.1) Department, dt.12.06.2018.
- Accordingly, Scrutiny Committee has taken up enquiry – Chawan Praveen Kumar S/o Hemla R/o Hasnapur (vg) of Utnoor Mandal has appeared before the committee on 30.11.2019, 02.12.2019 and submitted following documents in support of his claim.

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1. 1358 Fasli of Hasnapur village.
2. 1954-55 Khasra Pahani of Hasnapur village.
3. 1969-70 pahani of Hasnapur village.
4. 1974-75, 1978-79, 1990-91, 1999-2000 pahani of Ushegaon village.
5. 2015-16 pahani of Ushegaon village.
6. 2019 pahani of Jamgaon village.
7. 1977 voter list.

- Scrutiny Committee has finally concluded with the following findings:

1. On verification of land documents and family tree submitted by the applicant:

- As per Fasli 1358 (1948 year) of Hasnapur village at Sy.No.30, Ramsingh S/o Savda (great grandfather) is recorded as cultivator.
- As per Khasra Pahani 1954-55, Ramsingh S/o Savda (great grandfather) is recorded at Sy.No.30 PP.
- As per subsequent pahanies i.e. 1969-70, 1974-75, 1978-79 – name of Hemla S/o Kishan (father) is recorded in Sy.No.78 pertaining to Ushegaon village of Jainoor Mandal of KB Asifabad District.
- As per pahanies 1990-91, 1999-2000, 2015-16 of Ushegaon village, at Sy.No.78/25, Hemla S/o Kishan (father) is recorded.
- Applicant has produced (03) three different village pahanies i.e. Hasnapur village of Utnoor Mandal, Adilabad District; Ushegaon & Jamgaon villages of Jainoor Mandal of KB Asifabad District and failed to prove how the land is inherited at Ushegaon/Jamgaon villages of Jainoor Mandal.

2. Moreover, applicant has submitted family tree pertains to another applicant Chawan Latha D/o Noorsingh R/o Hasnapur village, Utnoor Mandal and added another name Kishan Karra as Family (grandfather) which is highly objectionable and punishable.

3. Thus, the applicant has failed to prove that his forefathers/family members are residing continuously in the Agency Scheduled Area since 1950 or before.

- Notice was issued to attend before Dist. Collector, Adilabad on 30.01.2020 to prove his claim as Local ST with relevant material/documents but did not attend.

- Hence, finally concluded that Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur (vg) of Utnoor Mandal of Adilabad District has failed to produce sufficient evidences to prove his continuous residence in
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Agency Area since 26.01.1950 to till date – therefore, declared him as not local ST as per definition of GO Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018.

3. Aggrieved by the above cancellation orders of the District Collector, Adilabad, the appellant Sri Chawan Praveen Kumar S/o Hemla R/o H.No.5-3, Hasnapur village, Utnoor Mandal, Adilabad District has submitted Appeal before the Government on 29.4.2021 stating that he appeared before the Scrutiny Committee on 30.11.2019, 02.12.2019 and submitted all documents proving his agency area local ST status – but the authorities did not consider them and finally issued orders declaring him as not local ST as per definition of GO Ms.No.24, TW (LTR.1) Dept. dt.12.06.2018. He has submitted the following documents in support of his claim:

- i) Family Tree duly self-declared and attested by the Sarpanch, GP Hasnapur, Utnoor Mandal.

Sri Chawan Savda is great grandfather – he has two sons namely 1) Ramsingh (elder brother son) and 2) Kishan (younger son and grandfather of appellant).

Ramsingh i.e. elder brother of grandfather has three sons namely 1) Noorsingh 2) Phoolsing and 3) Piraji.

Kishan i.e. grandfather of appellant has four sons namely 1) Shakru 2) Hiranman 3) Somla and 4) Hemla (his father).

Hemla i.e. father of appellant has four sons namely 1) Gokul 2) Anil 3) Praveen Kumar (appellant) and 4) Ashwin (youngest brother).

- ii) Pahani for the year 1948 (1358 Fasli) recorded name of Sri Ramsingh S/o Savda (elder brother of grandfather Kishan) at Sy.No.30 for the land situated at Hasnapur village. Both Ramsingh and Kishan are own brothers and sons to great grandfather Sri Chawan Savda.
- iii) Khasra Pahani for the year 1954-55 – recorded name of Sri Ramsingh S/o Savda (elder brother of grandfather Kishan) at Sy.No.30 for the land situated at Hasnapur village – Taluq Utnoor. Both Ramsingh and Kishan are own brothers and sons to great grandfather Sri Chawan Savda.
- iv) Pahani for the year 1969-70 – recorded name of Sri Hemla S/o Kishan (his father) at Sy.No.78 for the total extent of 11.00 acres – in Ushegaon village (Jamgaon) (presently in Jainoor Mandal and previously in Utnoor Taluq). This land was assigned to his father. Though the villages i.e. Hasnapur in the present Utnoor Mandal of Adilabad District and Ushegaon in the present Jainoor Mandal of Kumram Bheem Asifabad District (of the erstwhile Utnoor Taluq in the erstwhile Adilabad District) geographically situated side by side with a distance of 6 KMs while the lands of Sri Ramsingh i.e. eldest brother of grandfather Kishan and lands of his father Hemla are situated at a distance of 3 KMs only.

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- v) Pahani for the year 1974-75 – recorded name of Sri Hemla S/o Kishan (father of appellant) at Sy.No.78 for an extent of acs.5.20 gts – in Ushegaon (Jamgaon) (presently in Jainoor Mandal of KB Asifabad District and previously in the erstwhile Utnoor Taluq of erstwhile Adilabad District).
- vi) Pahani for the year 1978-79 – recorded name of Sri Hemla (father of appellant) at Sy.No.78 for an extent of acs.5.20 gts – in Ushegaon (Jamgaon) (presently in Jainoor Mandal of KB Asifabad District and previously in the erstwhile Utnoor Taluq and erstwhile Adilabad District).
- vii) Pahani for the year 1990-91 – recorded name of Sri Hemla (father of appellant) at Sy.No.78/25 for an extent of acs.5.20 gts – in Jamgaon H/o Ushegaon village (presently in Jainoor Mandal of KB Asifabad District and previously in the erstwhile Utnoor Taluq of erstwhile Adilabad District).
- viii) Pahani for the year 1999-2000 – recorded name of Sri Hemla (father of appellant) at Sy.No.78/25 for an extent of acs.5.20 gts – in Jamgaon H/o Ushegaon village (presently in Jainoor Mandal of KB Asifabad District and previously in the erstwhile Utnoor Taluq of erstwhile Adilabad District).
- ix) Pahani for the year 2015-16 – Jamgaon village which is a hamlet of Ushegaon village in Jainoor Mandal of the present KB Asifabad District – recorded name of Sri Chawan Hemla S/o Kishan (father of appellant) in Sy.No.78/25 for an extent of acs.5.20 gts.
- x) Pahani for the year 2019 – village: Jamgaon – Jainoor Mandal – KB Asifabad District – recorded name of Sri Chawan Hemla S/o Kishan (father of appellant) for an extent of accs.5.20 gts in Sy.No.78/25.
- xi) New Pattedar Pass Book bearing No.T16050170106 under Khata No.163 – issued by Tahsildar, Jainoor in favour of Sri Chawan Hemla S/o Kishan (father of appellant) for the land holdings measuring acs.2.12 gts in Sy.No.78/114 (inherited assigned land) and acs.5.20 gts in Sy.No.78/25 (inherited assigned land).
- xii) Voter list for the year 1977 – 243 Khanapur Assembly Constituency – Part No.112 – village: Hasnapur – showing names of 1) Hemla S/o Kishan (father of appellant) at Sl.No.930 and 2) Meerabai W/o Kishan (mother of appellant) at Sl.No.931 under H.No.4-47. Similarly, names of 1) Somla S/o Kishan (elder paternal uncle) at Sl.No.933, 2) Smt.Yamunaibai W/o Somla (elder paternal aunt) at Sl.No.934, 3) Kishan Karra @ Chawan Kishan (grandfather) at Sl.No.935 and 4) Valkibai W/o Kishan (grandmother) at Sl.No.936 were shown under H.No.4-59.
- xiii) Food Security Card issued to mother Smt.Chawan Meerabai W/o Hemla R/o H.No.5-3, Hasnapur village, Utnoor Mandal of Adilabad District.

- xiv) Bonafide and Conduct Certificate issued to Sri Hemla S/o Kishan (father) for studying I class in 1963 in ZPSS Hasnapur, Utnoor Mandal.
- xv) Certificate bearing No.E/918/2016, dt.25.07.2016 issued by the Tahsildar, Utnoor Mandal certifying that "Sri Chawan Praveen S/o Hemla R/o Hasnapur, Hasnapur GP, Utnoor Mandal, Adilabad District is presently residing in the above village which is notified Scheduled Area village in Telangana State".
- xvi) Aadhar Card bearing No.7729 7994 3878 – issued to Sri Chawan Hemla (father) showing residence at Hasnapur, Utnoor Mandal, Adilabad District.
- xvii) Aadhar Card bearing No.5931 1887 3281 – issued to self i.e. Chawan Praveen Kumar showing residence at Hasnapur, Utnoor Mandal, Adilabad District.
- xviii) Bonafide Certificate issued to self by HM Govt.Ashram High School, Hasnapur for the studies from III Class to V class from 1996-97 to 1998-99.
- xix) Bonafide Certificate issued to self by HM Govt.AHS (Boys), Pochamloddi, Jainoor Mandal, Dist. Adilabad for the studies from VI class to X class from 1999 to 2002 (certificate dt.2.7.2016).
- xx) Study and Conduct Certificate issued by Principal, TTWR Junior College (Boys), Utnoor at Lal Tekdi, Adilabad Dist. (issued on 14.07.2016) for Intermediate course with Bi.PC Group from 2004 to 2006.
- xxi) SSC Marks Memo issued by Board of Secondary Education for studying SSC at Ashram High School, Pochamloddi.
- xxii) Intermediate Marks Memo issued by Board of Intermediate Education for studying Intermediate at APTWRJC (B) Laltekdi, Utnoor.
- xxiii) Bonafide/Conduct Certificate issued by Principal, Crescent Elementary Teacher Training Institute (D.Ed), Karimnagar from 2007-2009.
- xxiv) Diploma in Education – for completion of DIET from Crescent College of ETTI during 2007-2008 & 2008-2009 – issued by Board of Secondary Education, AP Hyderabad dt.21.11.2009.
- xxv) Pass in Teacher Eligibility Test (APTET) – Statement of Marks.
- xxvi) Community and Date of Birth Certificate issued by Tahsildar, Utnoor Mandal – certifying that the appellant belongs to ST Lambadis community which is recognized as ST and showing his residence at Hasnapur village in Utnoor Mandal of Adilabad District.

xxvii) Agency Area Certificate issued by Tahsildar, Utnoor certifying that he is a local ST of Hasnapur agency village in Adilabad District.

xxviii) Resolution by GP Hasnapur – wherein it was declared that Sri Ramsingh (elder brother of grandfather Kishan) and Kishan (grandfather of appellant) are the sons of Savda (great grandfather). Elder one i.e. Ramsingh was given land in Sy.No.30 in Hasnapur village while Kishan was given land in Sy.No.78/25 and 78/114 in Jamgaon H/o Ushegaon village (recorded in land records from 1969-70) which is also nearer to Hasnapur village and further declared that the family of Kishan (father of appellant) has been continuously living in Hasnapur village.

4. Vide reference 4th read above, the Collector & District Magistrate Adilabad has been requested to submit original record pertaining to the case along with para-wise remarks.

5. Vide reference 5th read above, a Notice has been issued to the Appellant to attend for hearing on 26.06.2021 before the Government to prove his claim along with documentary evidences. Accordingly, the Appellant has attended for hearing on 26.06.2021, and submitted the documents along with Appeal Petition.

6. Vide reference 6th read above the PO, ITDA, Utnoor, Adilabad has submitted the connected documents of the case along with Para wise Remarks.

7. As verified from the family trees submitted by the Appellant before the Scrutiny and before the Government along with the Appeal, it is found that the family tree submitted before the Scrutiny Committee is a true Xerox copy of the original submitted before the Government and there is no change or variation nor does it pertain another candidate namely Chawan Latha D/o Noorsingh R/o Hasnapur and no name additionally added.

8. Government after careful examination of all the documents submitted by the Appellant with his Appeal Petition, it is found true that certain lands i.e. lands of Sri Ramsingh S/o Savda (elder brother of grandfather Kishan) are situated in Hasnapur village of the erstwhile Utnoor Taluq and present Utnoor Mandal in Adilabad District while lands of his father namely Hemla are situated in Jamgaon H/o Ushegaon village of the erstwhile Utnoor Taluq and erstwhile Adilbad District which are presently in Jainoor Mandal of the present Kumrum Bheem Asifabad District on reorganization of Taluks into Mandal and formation of new Districts. The villages i.e. Hasnapur in the present Adilabad District of Utnoor Mandal and Jamgaon H/o Ushegaon in the present Jainoor Mandal of KB Asifabad District are situated adjacently i.e. lands at a distance of 3 KMs, while residence of the appellant has been continuously maintained at Hasnapur village of Utnoor Taluq/Mandal only, in the present and erstwhile Adilabad District.

9. Therefore, in the light of the documentary evidences submitted by the Appellant Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur Village of Utnoor Mandal, Adilabad District, the Appeal submitted by him before the Government is hereby allowed duly setting aside orders of the District Collector, Adilabad in Procs.C3/2596/2019-31, dt.31.01.2020 and declared him as local ST of Hasnapur, an agency village in Adilabad District.

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10. The Collector & District Magistrate, Adilabad shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**Dr.CHRISTINA Z.CHONGTHU
SECRETARY TO GOVERNMENT**

To

The Collector & District Magistrate, Adilabad District.

Sri Chawan Praveen Kumar S/o Hemla R/o Hasnapur Village of Utnoor
Mandal of Adilabad District

Copy to:

1. The Secretary, Telangana State Public Service Commission,
Hyderabad (for information & necessary action)
2. The Project Officer, ITDA Utnoor, Adilabad District (for information &
necessary action)
3. The District Educational Officer, Adilabad District (for information &
necessary action)
4. The PS to Hon'ble Minister for ST Welfare for information.
5. The PS to Secretary (TW)
6. The PS to Special Secretary (TW)
7. SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER